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EXAMINER

ADAMS, CHARLES D

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2164

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/749,842

Applicant(s)

PANDIPATI ET AL.

Examiner

Charles D. Adams

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.



SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

Claim Objections

2. Claim 11 is objected to because of the following informalities: there is no period or other indication of the claim ending. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 8, 9, 11, 19 and 22-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 8 and 22, the phrase "such as" renders the claims indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Regarding claims 9 and 19, the phrase "other lists" and "any other" render the claims indefinite because it is unclear what the any 'other' element encompasses.

The term "easy" in claims 14 and 24 is a relative term which renders the claim indefinite. The term "easy" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

The term "safe" in claim 23 is a relative term which renders the claim indefinite. The term "safe" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3, 14-16, 18, 20-21, and 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Syroid et al. ("Outlook 2000 In a Nutshell").

As to claim 1, Syroid et al. teaches a single software package comprising a data entry interface that supports entry of data in multiple formats so that all personal data of a user can be entered into a single personal data file of a single program (see Syroid et al. page 462. All personal folders can stored in a single Personal Storage file (PST)).

As to claim 2, Syroid et al. teaches further comprising a provision by which all of the entered personal data is organized and stored in the single personal data file of the single program (see Syroid et al. page 462).

As to claim 3, Syroid et al. teaches further comprising a provision by which organization, storage and retrieval of the entered data are governed by user-defined parameters (see Syroid et al. pages 19, 20, and 462).

As to claim 14, Syroid et al. teaches further comprising provisions for easy access to and management of the entered personal data (see page 129. Outlook has navigation tools that provide for management of data).

As to claim 15, Syroid et al. teaches further comprising a provision by which an entirety of a user's personal data is searched by performing a single search (see page 117, Figure 3-43. The "Personal Folder" box can be checked, and subfolders can be searched. Therefore, the entirety of the personal data can be searched).

As to claim 16, Syroid et al. teaches further comprising a provision for creating new categories, sub-categories, and sub-sub categories of personal data (see page 543, 544, and Figure 17-4. Folders can be created in sub-folders).

As to claim 18, Syroid et al. teaches wherein the entered data can be accessed and viewed in various formats, including lists, tables, graphs, and charts (see pages 158-160, figure 4-28, and page 164, Figure 4-31. "For example, you could have your Inbox running in one window with the Outlook Bar and/or Folder List displayed for fast file management chores, and in a separate window (typically minimized) your Calendar displayed in the view of your choice, devoid of any navigation tools", pg 158, "Open in New Window". Also see pages 77-80 for customizing views in Outlook 2000).

As to claim 20, Syroid et al. teaches wherein the various formats are user defined by selection of categories, sub-categories, and/or sub-sub-categories (see pages 316-317 and page 158, "Open in New Window").

As to claim 21, Syroid et al. teaches further comprising a provision to alert the user in advance of an event (see page 296-297).

As to claim 23, Syroid et al. teaches further comprising a provision by which multiple users are supported in a safe environment, wherein each user is provided an independent user ID and password (see page 25 "Internet Mail Logon").

As to claim 24, Syroid et al. teaches further comprising a provision by which a user's personal data file is uploaded to a unique website to allow easy access to the personal data file from anywhere Internet access is provided (see page 25 "Mail Connection Type", "At home you use a dial-up connection to access your personal mail via an ISP").

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syroid et al. ("Outlook 2000 In a Nutshell") in view of Hu (US Patent 6,115,241).

As to claim 4, Syroid et al. teaches the single software package as claimed in claim 1.

Syroid et al. does not teach wherein the data entry interface supports data entered by scanning.

Hu teaches wherein the data entry interface supports data entered by scanning (see column 3, lines 35-42).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. by the teaching of Hu, since Hu teaches that "there are many situations in which a scanner operating with a host computer scans document and downloads resultant images of the document to the host computer" (see 3:35-38)

As to claim 10, Syroid et al. teaches the single software package as claimed in claim 7.

Syroid et al. does not teach in which directions entered by scanning are supported.

Hu teaches in which directions entered by scanning are supported (see 3:35-42).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. by the teaching of Hu, since

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Hu teaches that "there are many situations in which a scanner operating with a host computer scans document and downloads resultant images of the document to the host computer" (see 3:35-38)

9. Claims 5-9, 11-13, 17, 19, 22, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syroid et al. ("Outlook 2000 In a Nutshell") in view of Examiner taking Official Notice.

The following section of the MPEP (Chapter 2106, Section IV) is used in the following rejections:

If the difference between the prior art and the claimed invention is limited to descriptive material stored on or employed by a machine, Office personnel must determine whether the descriptive material is functional descriptive material or nonfunctional descriptive material, as described supra in paragraphs IV.B.1(a) and IV. B.1(b). Functional descriptive material is a limitation in the claim and must be considered and addressed in assessing patentability under 35 U.S.C. 103. Thus, a rejection of the claim as a whole under 35 U.S.C. 103 is inappropriate unless the functional descriptive material would have been suggested by the prior art. In re Dembiczak, 175 F.3d 994, 1000, 50 USPQ2d 1614, 1618 (Fed. Cir. 1999). Nonfunctional descriptive material cannot render nonobvious an invention that would have otherwise been obvious. In re Ngai, **>367 F.3d 1336, 1339, 70 USPQ2d 1862, 1864 (Fed. Cir. 2004) (combining printed instructions and an old product into a kit will not render the claimed invention nonobvious even if the instructions detail a new use for the product).< Cf. In re Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983) (when descriptive material is not functionally related to the substrate, the descriptive material will not distinguish the invention from the prior art in terms of patentability).

Common situations involving nonfunctional descriptive material are:

- a computer-readable storage medium that differs from the prior art solely with respect to nonfunctional descriptive material, such as music or a literary work, encoded on the medium,
- a computer that differs from the prior art solely with respect to nonfunctional descriptive material that cannot alter how the machine functions (i.e., the descriptive material does not reconfigure the computer), or
- a process that differs from the prior art only with respect to nonfunctional descriptive material that cannot alter how the process steps are to be performed to achieve the utility of the invention.

Thus, if the prior art suggests storing a song on a disk, merely choosing a particular song to store on the disk would be presumed to be well within the level of ordinary skill in the art at the time the invention was made. The difference between the prior art and the claimed invention is simply a rearrangement of nonfunctional descriptive material.

As to claim 5, Syroid et al. teaches further comprising pre-defined personal data categories including: a) contact information and directions (see page 332, Figure 8-3);

Syroid et al. does not teach b) financial matters.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include a pre-defined folder for financial matters, because it is simply non-functional descriptive data. Having a folder for financial data doesn't change the algorithm itself. In addition to this, one of ordinary skill in the art at the time the invention was made would have recognized that Syroid et al. teaches that one can implement custom folders in Outlook 2000 (see pages 543-544).

Syroid et al. as modified teaches c) reminders (see page 296-297, and Official Notice); and d) records (see page 266, Figures 6-24 and 6-25).

As to claim 6, Syroid et al. teaches the single software package as claimed in claim 5.

Syroid et al. does not teach further comprising pre-defined data sub-categories within each of the categories.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include more pre-defined folders that were child folders of the already existing pre-defined folder. An increased

number of child folders is non-functional descriptive material, and would have been obvious to one of ordinary skill in the art.

As to claim 7, Syroid et al. teaches wherein the sub-categories of the contact information and directions field include:

Names of individuals, schools, businesses, private and government agencies, institutions, organizations, facilities, or contact persons thereof (see page 332);

Contact numbers including telephone numbers, cellular phone numbers and fax numbers related to the names (see page 332);

Addresses including e-mail addresses, internet addresses, mailing addresses, and physical addresses related to the names and/or contact numbers (see page 332);
and

Syroid et al. does not teach directions to the physical addresses.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include directions to the physical addresses, as that is simply non-functional descriptive material. The addition of data to a contact field would have been obvious to one of ordinary skill in the art at the time the invention was made.

As to claim 8, Syroid et al. teaches further comprising free data categories in which any information related to any contact information and directions entry may be entered (see page 339-340),

Syroid et al. does not teach such as family information including names and ages of spouse and children, pertinent dates such as birthdays and anniversaries, and

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include these types of information in the notes field. These information types simply describe non-functional descriptive material. The addition of different types of information to a notes field would have been obvious to one of ordinary skill in the art at the time the invention was made.

Syroid et al. as modified teaches whether the contact information and directions entry should be included in any lists (see page 332, Figure 8-3, "Categories").

As to claim 9, Syroid et al. teaches the single software package as claimed in claim 8.

Syroid et al. does not teach wherein the lists include a Christmas/New Year's greeting card list, birthday/wedding anniversary card list, invitation to event lists and other lists that are user defined.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. by including these specific types of list. Syroid et al. teaches creating categories, of which custom ones can be defined (see page 341-342, Figure 8-11).

As to claim 11, Syroid et al. as modified teaches the single software package as claimed in claim 5.

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Syroid et al. does not teach wherein the financial matters category includes:

a) Assets/Investments: current and cash assets, stocks, mutual funds, government bonds, real estate properties, CDs, savings/checking accounts, partial or entire business ownerships, loans given to others, cash accumulated in whole life or universal life insurance policies, retirement related IRAs, 401Ks, jewelry, household appliances and furnishings and other possessions;

b) Payments: insurance (professional, health, dental, home, automobile, life, disability, travel, etc.) premiums, mortgages, real estate taxes, home owners association fees, car payments, credit card payments, membership dues, utilities (phone, electricity, gas, water, security alarm system, cable, cell phone), religious and charity contributions, alimony, child support;

c) Income: salary, interest, dividends, rental income, others;

d) Expenses: child/elder care, mortgages, household and automobile maintenance, food, gasoline, automobile repair, public/mass transportation, insurance premiums, entertainment/vacation, charitable contributions;

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include categories that contain these specific types of data. It is inherent that Outlook 2000 allows one to create custom folders and organize items.

As to claim 12, Syroid et al. as modified teaches the software package as claimed in claim 5.

Syroid et al. doesn't teach wherein the reminders category includes:

- a) Birthdays, anniversaries, holidays, special events;
- b) Scheduled appointments for dental/medical/physical check-ups, automobile maintenance,
- c) Upcoming renewal dates for professional society memberships, passports, driver's license, automobile registration, club memberships, warranties, magazine subscriptions, household and appliance maintenance contracts;
- d) Adult continuing education: course registration, conference and seminar registration, homework and project deadlines; and
- e) Child related educational and extra-curricular activities such as SAT exam dates, summer camp registration, sports club registration, college/school application deadlines, scouts, projects, paper and homework due dates.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include categories that contain these specific types of data. It is inherent that Outlook 2000 allows one to create custom folders and organize items.

As to claim 13, Syroid et al. teaches the software package as claimed in claim 5.

Syroid et al. does not teach wherein the records category includes:

- a) Wills, trusts, passports, house deeds, automobile ownership papers, drivers license, social security card and records, insurance policies, marriage and birth certificates, organ donor information, blood type, educational and professional

certificates, CD certificates data from receipts of jewelry and other valuables, warranties;

b) Scanned receipts and/or appraisal for jewelry, clothes, furniture, and other valuables;

c) Scanned photos of jewelry, passports, warranties, and other important documents; and

d) Voice/Video recordings.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include categories that contain these specific types of data. It is inherent that Outlook 2000 allows one to create custom folders and organize items.

As to claim 17, Syroid et al. teaches the single software package as claimed in claim 1.

Syroid et al. does not explicitly teach further comprising a provision to store a user's personal data on a CD or a diskette.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include recording a data file on different mediums. Figure 13-4, page 462 of Syroid et al. shows that one can choose the location where one's personal data will be stored. It also shows a browse button. It would have been obvious to one of ordinary skill in the art at the time the invention was

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made to have browsed to a floppy diskette or CD drive to save one's personal data file on.

As to claim 19, Syroid et al. teaches the single software package as claimed in claim 18.

Syroid et al. does not teach wherein the various formats include Christmas mailing address labels and birthday and wedding anniversary greeting card labels for birthdays and wedding anniversaries occurring in a particular month or any other predetermined duration.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include viewing items as certain types of labels, depending on a certain event or season. Contacts can be viewed by "address cards" (see page 78). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included certain event labels on those address cards.

As to claim 22, Syroid et al. teaches the single software package as claimed in claim 21.

Syroid et al. does not teach wherein the event includes any of a birthday, wedding anniversary, special event, real-estate tax payment due date, passport renewal, medical/physical check-up, dental check-up, auto maintenance, child related educational or extra-curricular activity such as SAT exam date, summer camp

registration, sports club registration, college/school application deadline, scouts, due dates for projects, papers or homework, driver's license renewal, automobile registration renewals, membership renewals or other user defined events.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include reminders for these types of events, as they are simply a variety of events and Outlook 2000 supports creating a reminder for any user created entry (see page 296-297).

As to claim 25, Syroid et al. as modified teaches the single software package as claimed in claim 11.

Syroid et al. does not teach wherein real estate includes a primary residence, secondary or vacation homes, and investment properties.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syroid et al. to include categories that contain these specific types of data. It is inherent that Outlook 2000 allowed one to create custom folders and organize items as one wanted.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles D. Adams whose telephone number is (571) 272-3938. The examiner can normally be reached on 8:30 AM - 5:00 PM, M - F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Charles Adams
AU2164



SAM RIMELL
PRIMARY EXAMINER